

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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CHANENE HINDS,

Plaintiff,

-against-

ORDER

14-CV-00342 (JS) (ARL)

CHEXSYSTEM and BANK OF
AMERICA MISSOURI,

Defendants.

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APPEARANCES

For Plaintiff: Chanene Hinds, pro se
62 East Centennial Avenue
Roosevelt, NY 11575

For Defendants: No appearance

SEYBERT, District Judge:

On January 7, 2014, pro se plaintiff Chanene Hinds ("Plaintiff") filed a Complaint pursuant to the Fair and Accurate Credit Transactions Act of 2003 ("FACTA"), Pub. L. No. 108-159, § 1, 117 Stat. 1952, and the Fair Credit Reporting Act ("FCRA"), 15 U.S.C. §§ 1681 et seq.¹ in the United States District Court for the Southern District of New York ("S.D.N.Y.") against Chexsystem and Bank of America Missouri (together, "Defendants"). Plaintiff's Complaint was accompanied by an application to proceed in forma pauperis. By Transfer Order dated January 14, 2014, Chief Judge Loretta A. Preska of the S.D.N.Y. transferred Plaintiff's Complaint to this Court, and left the determination of Plaintiff's in forma pauperis application to this Court.

¹ "FACTA was passed in 2003 as an amendment to the FCRA." Kivo v. Blumberg Exelsior, Inc., No. 13-CV-4170, 2013 WL 6064229, *1 (E.D.N.Y. Nov. 16, 2013).

Accordingly, upon review of Plaintiff's declaration in support of her application to proceed in forma pauperis, the Court finds that Plaintiff's financial status qualifies her to commence this action without prepayment of the filing fees. See 28 U.S.C. § 1915(a)(1). Accordingly, Plaintiff's application to proceed in forma pauperis is GRANTED and the Court orders service of the Complaint by the United States Marshal Service ("USMS") without prepayment of the filing fee.

CONCLUSION

For the reasons set forth above, the application to proceed in forma pauperis is GRANTED, and the Court ORDERS service of the Summons and Complaint by the USMS. The Clerk of the Court shall forward the Summons, the Complaint, and this Order to the USMS and the USMS shall serve the Defendants.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith and therefore in forma pauperis status is DENIED for the purpose of any appeal. See Coppedge v. United States, 369 U.S. 438, 444-45, 82 S. Ct. 917, 8 L. Ed. 2d 21 (1962).

The Clerk of the Court is further directed to mail a copy of this Order to the pro se Plaintiff.

SO ORDERED.

/s/ JOANNA SEYBERT
Joanna Seybert, U.S.D.J.

Dated: March 12, 2014
Central Islip, New York